

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of:

W. LUBITZ et al.

Serial Number: 09/117,447

Filed: December 2, 1998

For: RECOMBINANT EXPRESSION OF S-LAYER PROTEINS



Group Art Unit: 1645

Examiner: N. Minnifield

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RESPONSE TO ELECTION OF SPECIES REQUIREMENT

Commissioner for Patents
Washington, D.C. 20231

October 2, 2000

Dear Sir:

The Election of Species Requirement mailed August 2, 2000 required an election of one of the following species of Group I:

- Claims 1-17, 19, 20, 46 and 47 directed to SbsA-S-layer protein SEQ. ID No: 1; or
Claims 28-30, 32, 37-47, 52 and 53 directed to SbsB-S-layer protein SEQ. ID No:
5.

Applicants hereby elect claims 1-17, 19, 20, 46 and 47 directed to SbsA-S layer protein SEQ. ID No: 1. Applicant further understands that upon the allowance of a generic claim, Applicants will be entitled to consideration of claims to additional species that depend from or otherwise include all of the limitations of an allowed generic claim. Claims 1-17, 19, 20, 46 and 47 are generic.

Should the Examiner have any questions regarding this response, the Examiner is requested to telephone Applicants' undersigned representative at the telephone number listed below.

W. Lubitz

In the event this paper is not being timely filed, Applicants respectfully petition for an appropriate extension of time. Any fees for such an extension together with any additional fees may be charged to Counsel's Deposit Account 01-2300.
fee.

Respectfully submitted,

ARENT FOX KINTNER PLOTKIN & KAHN PLLC


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RKC/dn

Enclosures: Check
Petition for Extension of Time